

Executive Department

State of California

REGULATIONS FOR CALIFORNIA'S GASOLINE EMERGENCY

In light of the state of emergency now existing in the counties of Los Angeles, Orange, Alameda, Contra Costa, Solano, San Mateo, Riverside, Santa Clara and Ventura, and pursuant to the authority vested in me to promulgate, issue and enforce rules, regulations and orders, I deem the following amended rules and regulations necessary for the protection of life and property:

1. At the retail level, gasoline may be dispensed into vehicles with a license plate whose last (or only) digit is an odd number (1, 3, 5, 7 and 9) only on odd numbered days of the month, that is, on the first, third, fifth, seventh and so on. Environmental license plates that contain letters only will be equivalent to the digit 1. Examples of odd number plates are as follows:

SAM 123
123 SAM
MARTHA
KAM 2345
12345J
J12345

2. At the retail level, gasoline may be dispensed into vehicles with a license plate whose last (or only) digit is an even number (0, 2, 4, 6 and 8) only on even numbered days of the month, that is, on the second, fourth, sixth, eighth, tenth and so on. Examples of even number plates are as follows:

SAM 132
132 SAM
DAVE 2
2 MARY
KMA 3456
01234J
J01234
WGABC

3. For any calendar month in which there are 31 days, sales may be made on the thirty-first day of the month without regard to the registration plates of the motor vehicle.
4. Gasoline shall not be sold to any vehicle that has more than one-half tankful of gasoline. When requested by the gasoline attendant, the customer shall permit inspection of the fuel gauge with the ignition key in the "on" position.

Executive Department

State of California

5. When dispensing gasoline to the general public, gasoline retailers shall not refuse to sell gasoline to anyone, on appropriate odd or even days, except to refuse to sell gasoline to vehicles with more than one-half a tankful of fuel.
6. No general hours or days of operation are required by these regulations. However, each gasoline retailer shall clearly post by signs legible from off the premises his anticipated minimum business days and hours of operation for dispensing gasoline.

COMMENT:

Individual retailers are the best judges of the business days and hours that satisfy their customers' needs, and are encouraged to work out staggered hours of operation in common marketing areas. All gasoline suppliers are urged to refrain from establishing additional retail stations, and are urged not to reduce the gasoline supplies available to existing stations in order to supply unnecessary new stations.

7. Each gasoline retailer shall manage his monthly fuel allocation so that it will last through the month.

COMMENT:

The need for maximum and minimum purchase limits appears no longer necessary. Gasoline retailers are discouraged from establishing maximum or minimum purchase limits; however if limits are adopted the retailer should clearly indicate these limits by signs legible from off the premises.

8. Each service station shall clearly indicate its gasoline supply and service situation by a sign or flag, easily visible from off the premises. If the flag system is used, the following will apply: Green flag--gasoline available for the general public (on appropriate days for appropriate license plates); yellow flag--gasoline available for emergency vehicles only; red flag--out of gasoline and/or closed. If the sign system is used, it should state the following, or equivalent information: Gasoline available--emergency vehicles only--out of gasoline and/or closed.
9. The following vehicles are exempt from the provisions sections 1 and 2 of these orders:

Executive Department

State of California

- a) Emergency vehicles as defined in Section 265 of the California Vehicle Code.
- a) Public transportation vehicles regularly used to transport passengers which are buses, taxis and vehicles rented for less than 30 days.
- b) Buses regularly used to transport passengers as defined in Section 233 of the California Vehicle Code.
- b) Vehicles used for commercial purposes in the judgment of the gasoline retailer (see attachment A).
- c) Vehicles used for commercial purposes in the judgment of the gasoline retailer.
- c) Vehicles with out-of-state license plates.
- d) U.S. Postal Service vehicles.
- e) Vehicles operated by handicapped persons, who have no practical alternative to auto transportation, as designated by the following license plate letters:

DPW 000 - 999	000 - 999 DPY
DPX 000 - 999	000 - 999 DPZ
DPY 000 - 999	VET 000 - 999
DPZ 000 - 999	VEN 000 - 999
000 - 999 DPW	VTR 000 - 999
000 - 999 DPX	000 - 999 VET

Vehicles with out-of-state license plates are exempt from the alternate day ban on gasoline purchases but not from the one-half tank purchase provision. Operators of the above exempt vehicles are urged to purchase gasoline only on appropriate alternate days whenever possible.

10. The following vehicles are exempt from the provisions of these orders:

- a) Emergency vehicles as defined in Section 165 of the California Vehicle Code (see attachment B).
- b) Other emergency repair and service vehicles, whether public or private, used for functions directly related to the protection of life, property or public health.
- c) Vehicles operated in an unusual emergency situation in the judgment of the gasoline retailer.

11. At the retail level, gasoline may be dispensed into separate containers only when necessary in the judg-

Executive Department
State of California

ment of the gasoline retailer. Such sales shall be in the smallest practical quantity.

COMMENT:

Storage of gasoline in separate containers in the trunk of automobiles is an extremely dangerous practice.

12. Pursuant to the authority of Section 2665 of the Government Code, any violation of these orders or regulations is a misdemeanor and upon conviction, shall be punishable by a fine of not to exceed five hundred dollars (\$500) or by imprisonment not to exceed six months or by both such fine and imprisonment.

Ronald Reagan
Governor of California

Attest:

Edward H. Brown
Secretary of State

Date: March 15, 1974

by Mary Ann Tull
Deputy Secretary of State

Executive Department
State of California

OES RELEASE #7352
(amended)

On behalf of the Energy Planning Council, the Office of Emergency Services announces the following clarifications of the Emergency Gasoline Marketing Plan.

1. Vehicles used for commercial purposes: These guidelines were issued today for use by retailers in determining whether a vehicle is used for commercial purposes.
 - A. Vehicles which by their design, size, or recognizable company identification are obviously being used for commercial purposes.
 - B. Vehicles which are owned and operated as part of a company vehicle fleet as may be determined by company marking on the vehicle's registration.
 - C. Individually owned vehicles used for commercial purposes, as evidenced by the presence of specialized equipment, instruments, tools of the trade or profession, supplies or other material which cannot be readily carried by the vehicle operator on public transportation, or any other evidence that it is necessary to use the vehicle for commercial purposes.
2. Doctors and Nurses: No blanket exemption is made for doctors and nurses. However, when they are using their vehicles for professional purposes (such as special calls) their vehicles should be considered as those being used for commercial purposes and when using their vehicles for emergency calls they should be considered emergency vehicles. Physicians and nurses are expected to do the same planning in fueling their vehicles for private use as are other citizens. In extreme emergency situations, they can call upon taxis, ambulances, or the local law enforcement agency.
3. Appointments: "Sales by appointment only constitute discrimination under Section 210.62 of the Federal Petroleum Allocation and Price Regulations, unless he (the retailer) conducted his business by appointment only prior to January 15, 1972 in so far as he continues his pre-existing practice."
4. FEO regulations also prohibit stations from selling exclusively to commercial vehicles.

Executive Department

State of California

SECTION 165, DIVISION 1., STATE VEHICLE CODE

165. An authorized emergency vehicle is:

(a) Any publicly owned ambulance, lifeguard or lifesaving equipment or any privately owned ambulance used to respond to emergency calls and operated under a license issued by the Commissioner of the California Highway Patrol.

(b) Any publicly owned vehicle operated by the following persons, agencies or organizations:

(1) Any forestry or fire department of any public agency or fire department organized as provided in the Health and Safety Code.

(2) Any police department, including those of the University of California and the California State University and Colleges, sheriff's department, or the California Highway Patrol.

(3) The district attorney of any county or any district attorney investigator.

(4) Any constable or deputy constable engaged in law enforcement work.

(5) Peace officer personnel of the Department of Justice.

(6) Peace officer personnel of the state park system appointed pursuant to Section 5008 of the Public Resources Code.

(7) Peace officer personnel employed and compensated as members of a security patrol of a school district while carrying out the duties of their employment.

(c) Any vehicle owned by the state, or any bridge and highway district, and equipped and used either for fighting fires, or towing or servicing other vehicles, caring for injured persons, or repairing damaged lighting or electrical equipment.

(d) Any state-owned vehicle used in responding to emergency fire, rescue or communications calls and operated either by the Office of Emergency Services or by any public agency or industrial fire department to which the Office of Emergency Services has assigned such vehicle.

(e) Any state-owned vehicle operated by a fish and game warden.

(f) Any vehicle owned or operated by any department or agency of the United States government:

(1) When such department or agency is engaged primarily in law enforcement work and the vehicle is used in responding to emergency calls, or

(2) When such vehicle is used in responding to emergency fire, ambulance or lifesaving calls.

(g) Any vehicle for which an authorized emergency vehicle permit has been issued by the Commissioner of the California Highway Patrol.